

FIRST REGULAR SESSION

SENATE BILL NO. 326

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CROWELL.

Read 1st time February 5, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

1690S.01I

AN ACT

To repeal section 32.105, RSMo, and to enact in lieu thereof one new section relating to the neighborhood assistance act.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 32.105, RSMo, is repealed and one new section enacted

2 in lieu thereof, to be known as section 32.105, to read as follows:

32.105. As used in sections 32.100 to 32.125, the following terms mean:

2 (1) "Affordable housing assistance activities", money, real or personal
3 property, or professional services expended or devoted to the construction, or
4 rehabilitation of affordable housing units;

5 (2) "Affordable housing unit", a residential unit generally occupied by
6 persons and families with incomes at or below the levels described in this
7 subdivision and bearing a cost to the occupant no greater than thirty percent of
8 the maximum eligible household income for the affordable housing unit. In the
9 case of owner-occupied units, the cost to the occupant shall be considered the
10 amount of the gross monthly mortgage payment, including casualty insurance,
11 mortgage insurance, and taxes. In the case of rental units, the cost to the
12 occupant shall be considered the amount of the gross rent. The cost to the
13 occupant shall include the cost of any utilities, other than telephone. If any
14 utilities are paid directly by the occupant, the maximum cost that may be paid
15 by the occupant is to be reduced by a utility allowance prescribed by the
16 commission. **For rental units**, persons or families are eligible occupants of
17 affordable housing units if the household combined, adjusted gross income as
18 defined by the commission is equal to or less than the following percentages of
19 the median family income for the geographic area in which the residential unit
20 is located, or the median family income for the state of Missouri, whichever is

larger; ("geographic area" means the metropolitan area or county designated as an area by the federal Department of Housing and Urban Development under Section 8 of the United States Housing Act of 1937, as amended, for purposes of determining fair market rental rates):

	Percent of State or Geographic Area Family Median Income
Size of Household	
One Person	35%
Two Persons	40%
Three Persons	45%
Four Persons	50%
Five Persons	54%
Six Persons	58%
Seven Persons	62%
Eight Persons	66%

For owner-occupied units, persons, or families are eligible occupants of affordable housing units if the household combined, adjusted gross income as defined by the commission is equal to or less than the following percentages of the median family income for the geographic area in which the residential unit is located, or the median family income for the state of Missouri, whichever is larger; ("geographic area" means the metropolitan area or county designated as an area by the federal Department of Housing and Urban Development under Section 8 of the United States Housing Act of 1937, as amended, for purposes of determining fair market rental rates):

	Percent of State or Geographic Area Family Median Income
Size of Household	
One Person	70%
Two Persons	80%
Three Persons	90%
Four Persons	100%
Five Persons	108%
Six Persons	116%
Seven Persons	124%
Eight Persons	132%

57 (3) "Business firm", person, firm, a partner in a firm, corporation or a
58 shareholder in an S corporation doing business in the state of Missouri and
59 subject to the state income tax imposed by the provisions of chapter 143, RSMo,
60 including any charitable organization that is exempt from federal income tax and
61 whose Missouri unrelated business taxable income, if any, would be subject to the
62 state income tax imposed under such chapter, or a corporation subject to the
63 annual corporation franchise tax imposed by the provisions of chapter 147, RSMo,
64 or an insurance company paying an annual tax on its gross premium receipts in
65 this state, or other financial institution paying taxes to the state of Missouri or
66 any political subdivision of this state pursuant to the provisions of chapter 148,
67 RSMo, or an express company which pays an annual tax on its gross receipts in
68 this state;

69 (4) "Commission", the Missouri housing development commission;

70 (5) "Community services", any type of counseling and advice, emergency
71 assistance or medical care furnished to individuals or groups in the state of
72 Missouri or transportation services at below-cost rates as provided in sections
73 208.250 to 208.275, RSMo;

74 (6) "Crime prevention", any activity which aids in the reduction of crime
75 in the state of Missouri;

76 (7) "Defense industry contractor", a person, corporation or other entity
77 which will be or has been negatively impacted as a result of its status as a prime
78 contractor of the Department of Defense or as a second or third tier contractor.
79 A "second tier contractor" means a person, corporation or other entity which
80 contracts to perform manufacturing, maintenance or repair services for a prime
81 contractor of the Department of Defense, and a "third tier contractor" means a
82 person, corporation or other entity which contracts with a person, corporation or
83 other entity which contracts with a prime contractor of the Department of
84 Defense;

85 (8) "Doing business", among other methods of doing business in the state
86 of Missouri, a partner in a firm or a shareholder in an S corporation shall be
87 deemed to be doing business in the state of Missouri if such firm or S corporation,
88 as the case may be, is doing business in the state of Missouri;

89 (9) "Economic development", the acquisition, renovation, improvement, or
90 the furnishing or equipping of existing buildings and real estate in distressed or
91 blighted areas of the state when such acquisition, renovation, improvement, or
92 the furnishing or equipping of the business development projects will result in the

93 creation or retention of jobs within the state; or, until June 30, 1996, a defense
94 conversion pilot project located in a standard metropolitan statistical area which
95 contains a city with a population of at least three hundred fifty thousand
96 inhabitants, which will assist Missouri-based defense industry contractors in
97 their conversion from predominately defense-related contracting to
98 nondefense-oriented manufacturing. Only neighborhood organizations, as defined
99 in subdivision (13) of this section, may apply to conduct economic development
100 projects. Prior to the approval of an economic development project, the
101 neighborhood organization shall enter into a contractual agreement with the
102 department of economic development. Credits approved for economic development
103 projects may not exceed six million dollars from within any one fiscal year's
104 allocation. Neighborhood assistance program tax credits for economic
105 development projects and affordable housing assistance as defined in section
106 32.111 may be transferred, sold or assigned by a notarized endorsement thereof
107 naming the transferee;

108 (10) "Education", any type of scholastic instruction or scholarship
109 assistance to an individual who resides in the state of Missouri that enables the
110 individual to prepare himself or herself for better opportunities or community
111 awareness activities rendered by a statewide organization established for the
112 purpose of archeological education and preservation;

113 (11) "Homeless assistance pilot project", the program established pursuant
114 to section 32.117;

115 (12) "Job training", any type of instruction to an individual who resides
116 in the state of Missouri that enables the individual to acquire vocational skills so
117 that the individual can become employable or be able to seek a higher grade of
118 employment;

119 (13) "Neighborhood organization", any organization performing community
120 services or economic development activities in the state of Missouri and:

121 (a) Holding a ruling from the Internal Revenue Service of the United
122 States Department of the Treasury that the organization is exempt from income
123 taxation pursuant to the provisions of the Internal Revenue Code; or

124 (b) Incorporated in the state of Missouri as a not-for-profit corporation
125 pursuant to the provisions of chapter 355, RSMo; or

126 (c) Designated as a community development corporation by the United
127 States government pursuant to the provisions of Title VII of the Economic
128 Opportunity Act of 1964;

129 (14) "Physical revitalization", furnishing financial assistance, labor,
130 material, or technical advice to aid in the physical improvement or rehabilitation
131 of any part or all of a neighborhood area;

132 (15) "S corporation", a corporation described in Section 1361(a)(1) of the
133 United States Internal Revenue Code and not subject to the taxes imposed by
134 section 143.071, RSMo, by reason of section 143.471, RSMo;

135 (16) "Workfare renovation project", any project initiated pursuant to
136 sections 215.340 to 215.355, RSMo.

Unofficial ✓

Bill

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